THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.27981 of 1997

Dated:28.2.2007

Between
Peethala Venkata Murali Mohan Rao
.....Petitioner

and

1. The Vice Chancellor, Andhra University, Visakahaptnam and Others.
...Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.27981 of 1997

ORDER:

This writ petition is filed challenging the proceedings dated 13.09.1997 of the 1st respondent-Vice Chancellor where under the earlier proceedings dated 16.08.1997 issued by him, directing the Chief Warden to utilize the services of the Record Assistants including the petitioner and to reimburse the daily wage salaries as was done in the case of Mess Staff for P.G.Mess of Engineering Hostels with effect from September, 1995, were cancelled.

A detailed counter-affidavit has been filed by the respondents denying the allegations made by the petitioner. It is stated that the proceedings dated 16.8.1997 of Vice

Chancellor were not correctly issued and therefore, the proceedings dated 13.9.1997 were issued cancelling the proceedings dated 16.8.1997. Apart from that, the proceedings issued on 13.9.1997 are administrative in nature and there is no necessity to mention any reasons. The petitioner has no locus standi to challenge the proceedings dated 13.9.1997. The entire case of the petitioner falls to the ground from the fact that in the list enclosed to the proceedings dated 12.9.1995, the petitioner's name is not found. His name was also not found in the list enclosed by the Chief Warden in his letter, dated 29.3.1995. Even if the Chief Warden unauthorisedly utilized the services of any person including the petitioner, they cannot make a claim against the University on that ground.

While admitting the writ petition, on 28.10.1997 this Court passed interim order directing the respondents to continue the petitioner in service if he is in service as on

that date, pending further orders.

Learned counsel for the petitioner states that the petitioner is continuing in the post as on today.

Since the petitioner is continuing for the last more than 10 years, the respondents shall not disturb the services of the petitioner unless there is any such necessity. However, such order can be passed only after issuing a proper notice to the petitioner.

Writ petition is disposed of accordingly. No costs.

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28-02-2007

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